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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,738	12/09/2004	Ian R Nandhra	FINDP001	5925
22434	7590	02/23/2007	EXAMINER	
BEYER WEAVER LLP			WONG, LESLIE	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	02/23/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/517,738	Applicant(s) NANDHRA, IAN R	
	Examiner Leslie Wong	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 14-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/09/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. Applicants' Information Disclosure Statement, filed 09 December 2004, has been received, entered into the record, and considered. See attached form PTO-1449.

Election/Restrictions

2. Election was made without traverse of Group I, claims 1-13, filed 25 January 2007 is acknowledged. Group II, claims 14-25, are withdrawn from further consideration by the examiner, 37 CFR 1.142(b) as being drawn to a non-elected.

Claim Rejections - 35 USC § 101

3. Claims 1-13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C 101.

Claim 1 recites, "...locating the portions of the electronic data ..." does not appear to produce a tangible results as it does not convey the result of the located data to the user.

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To expedite a complete examination of the instant application the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four categories of invention.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by **Crandall et al. ("Crandall")**(US. Patent 6,321,228 B1).

Regarding claim 1, **Crandall et al.** teaches a computer network having a plurality of interconnected computer resources, the computer network having associated with it a data repository that includes a plurality of data items in electronic format distributed widely among the interconnected computer resources, a method of locating portions of the electronic data in the data repository based on a search query, comprising:

a). processing the search query to determine at least one meaning

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associated with the search query (Fig. 5 and col. 5, lines 43-64); and

b). locating the portions of the electronic data based on the determined meaning and in accordance with a context ascribed to the determined meaning with reference to meanings associated with previous result data, located in response to previous search queries (col. 5, line 65 - col. 6, line 4).

Regarding claims 2, 3, and 8, **Crandall et al.** further teaches the steps of:

a). previous result data is organized in a particular manner to ascribe the context to the determined meaning (col. 6, lines 44-48); and

b). the locating step includes, based on the particular manner of organization, comparing the determined meaning to the meanings associated with previous result data (col. 5, line 65 - col. 6, line 4).

Regarding claims 4, 5, and 10, **Crandall et al.** further teaches maintaining a store of the meanings associated with the previous result data, organized in the particular manner (col. 2, lines 18-24).

Regarding claim 6, **Crandall et al.** further teaches wherein the order of comparing is based at least in part on a relative frequency with which the previous result data has been accessed (col. 6, lines 8-29).

Regarding claims 7, 12, and 13, **Crandall et al.** further teaches the steps of:

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- a). search query is by a particular user (col. 5, lines 8-22); and
- b). the previous search queries include search queries by users other than the particular user (col. 2, lines 31-44).

Regarding claim 9, **Crandall et al.** further teaches the steps of:

- a). the method further includes maintaining a pointer store that includes at least one entry pointing to a store of previous result data (col. 8, lines 13-27); and
- b). the locating step includes initially locating the store of previous result data based on the pointer store (col. 8, lines 13-27).

Regarding claim 11, **Crandall et al.** further teaches the maintaining step includes, when a particular previous result data is located based on the search query, organizing the previous result data to influence the prominence with which the located particular previous result data affects the ascription of context (col. 8, lines 13-27).

Regarding claim 12, **Crandall et al.** further teaches the steps of:

- a). previous result data are co-accessible by a plurality of users presenting search queries (col. 8, lines 13-27); and
- b). in the maintaining step, the organizing step is executed based on the particular previous result data located based on the search queries presented by the plurality of users (col. 8, lines 13-27).

Conclusion

6. The prior art made of record and not relied upon on PTO-FORM 892 is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Wong whose telephone number is (571) 272-4120. The examiner can normally be reached on Monday to Friday 9:30am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHARLES RONES can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Leslie Wong', with a long horizontal stroke extending to the right.

Leslie Wong
Primary Patent Examiner
Art Unit 2164

LW

February 16, 2007